HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

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Writ Petition No.4609 of 2000

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Between:

S.N. Shafi @ Shaik M. Safiullah

…Petitioner

-

And

The Superintending Engineer (Operation),
A.P. Transco, Anantapur and others

…Respondents.

:: O R D E R ::

Counsel for the Petitioner: Smt.A. Chayadevi

Counsel for the respondents: Sri Samineni Kishore

February 07, 2007

In this petition, the petitioner has prayed for issue of a mandamus to the respondents to consider his case for appointment as Lower Division Clerk in accordance with the policy contained in B.P.Ms.No.36, dated 18-5-1997 and other circulars/ instructions issued by the erstwhile Andhra Pradesh State Electricity Board (for short, 'the Board').

After the arguments were heard for sometime, Shri Samineni

Kishore, learned counsel for the respondents fairly stated that in view of clarification issued by the Board vide Memo No.DP/DIR/ DM(IR)/PO.II/131/96, dated 13-9-1997, the petitioner, who was a graduate on the date of interview, was eligible to be considered, but, by mistake, his candidature was overlooked. He submitted that the competent authority will now consider the petitioner's candidature in accordance with the policy framed by the Board and, if found eligible/entitled/suitable, he will be appointed in the services of Central Power Distribution Company Limited.

In view of the fair stand taken by Shri Samineni Kishore, the writ petition is disposed of with the following directions:

1) Within six weeks from the date of receipt of copy of this order, the competent authority of Central Power Distribution Company Limited shall consider the petitioner's case for appointment as Lower Division Clerk in accordance with B.P.Ms.No.36, dated 18-5-1997 and other related instructions. Such consideration must be made along with other eligible persons, who may have acquired the qualification of graduation up to the date of interview and who were denied consideration as was done in the case of the petitioner.

2) If the petitioner or any other person is found suitable for appointment against 50% of the vacancies available on 18-5-1997, then such person should be given appointment as Lower Division Clerk against the available vacancy.

As a sequel to disposal of the writ petition, WPMP No.6107 of 2000 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, C.J.

February 07, 2007

svs